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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/429,758	10/28/1999	NORMAN ADAMS	ARIB-P0110-U	6287

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BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR
LOS ANGELES, CA 90025

EXAMINER
ZURITA, JAMES H

ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 12/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Offic Action Summary	Applicati n N .	Applicant(s)
	09/429,758	ADAMS ET AL.
	Examiner	Art Unit
	James H Zurita	3625

-- The MAILING DATE of this communication appears on the cover sheet with th correspondence address --

Period f r Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on <u>2 October 2003</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-50* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-50* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Pri rity under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) ☐ Other: .

DETAILED ACTION

Response to Request for Reconsideration

A non-final Office Action of 2 July 2003, paper 19, rejected Claims 1-50 under 35

U.S.C. 103(a) as being unpatentable over King et al. (US Patent 5,319,542) in view of

Gardner (US Patent 5,758,327) and further in view of Lemble (US Patent 5,315,504).

The present Office Action is a response to Applicant's request for reconsideration

of 2 October 2003.

It is noted that the grounds for rejection are unchanged. The Examiner will take

this opportunity to further elaborate on the rejection and to further clarify the record, and

so that applicants may more easily identify particular features of their invention that are

unpatentable over the cited references and knowledge generally available to those of

ordinary skill in the art. Any newly cited reference is added merely to support prior

common knowledge statements.

Claims 1-50 are pending and will be examined.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

Claims 1-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over

King et al. (US Patent 5,319,542) in view of Gardner (US Patent 5,758,327) and

further in view of Lemble (US Patent 5,315,504).

As previously noted, the term "electronic receipt" does not appear in the disclosures. Applicants use the term "desktop receipt" to describe how users may acknowledge that they have received the goods they requested. The terms "electronic receipt" and "desktop receipt" will be given their broadest reasonable interpretation to include any electronic form or message used to acknowledge that goods and services have been received.

King discloses a system that generates purchase requisition records (Col. 2, lines 20-67). The purchase request may be generated according to combination of input from a requestor and information concerning an item being purchased stored in a database (see at least Col. 4, line 47-Col. 5, line 30). King determines approval path for purchase requisition according to approval rules (Col. 6, lines 1-30). King provides an entire process, from preparing catalogs to receipt of orders. On a computer system such as King's, receipts are often called electronic receipts.

King, Gardner and Lemble *do not* use the term "electronic receipt" or "desktop receipt". It was well known to one of ordinary skill that users often acknowledge that they have received goods or services at various points in a requisition process by notifying appropriate persons. While the notifications may be in paper form, on a computer system it may be more convenient to issue the notification in electronic format, perhaps via email, fax. Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to include electronic "receipts" or "desktop receipts." One of ordinary skill at the time the invention was made would have been

motivated to include electronic "receipts" or "desktop receipts" for the obvious reason

that in accounting, such receipts are a common, ordinary item in everyday business.

In financial accounting, such notices are valuable, for example, in auditing a

company's books by accountants. In managerial accounting, such notices and

acknowledgments are important to let managers evaluate their requisition process. By

using well-known checks and balances, managers may prevent theft, embezzlement or

payments for non-existent goods that would otherwise be noted as assets on their

balance sheets. Receipts, including electronic receipts, permit companies to supervise

the various actors in a requisition process.

King discloses generating a requisition, communicating an order to a supplier as

a purchase order. Since it's usually important to known where to send a purchase order

and who to pay, supplier indicator information may include one or more of the following:

a supplier name, postal address, fax number, email address, electronic address, etc.

See at least Col. 2, lines 12-64. King discloses creating a supplier profile (see at least

Col. 4, lines 47-67). Such profiles are necessarily based on supplier information, and

the information is often stored in an enterprise's systems. It is well-known in the art that

companies often have lists of preferred suppliers. Thus, a requisition and purchase

order system often includes programs and protocols to access data on an ERP system.

As King discloses, approver-specific information is often referred to as personal

profiles, in accordance with company specifications. Approval authorities may be

changed by administrators or other approvers. Since requisitions are internal to a

company, it is common practice to assign a requisition a unique identifier according to a

company's accounting system. In addition, it is logical to specify where purchased

products are to be sent. Such instructions may be stored in a database (as in King).

Alternatively, authorizations may be input by an approver or requestor, since they

usually know why a product is being requested, where the product should be delivered

and other details. It is well-known to allow users to update selected profile information.

For example, companies often move a person from one office to another, or from one

department to another. Company factories may be relocated or created in different

geographical locations. In addition, persons may be promoted and assigned new

responsibilities. Persons may also leave a company's employment voluntarily. People

may be laid-off, demoted or even fired. It is common practice to prevent access to a

system by former employees, and to reassign a person's tasks and responsibilities.

Responsibilities may also be time-limited. For example, a person may leave on

vacation, maternity leave, or a person may be hospitalized indefinitely. Other well-

known ways of guiding approvals include amount-limits, time limits, etc.

While King *does not* specifically disclose how to handle a requisition when an

approver has not responded based on a specified time span, limitations by hold time are

well known in the art. For example, with Just In Time/JIT inventory systems, time is

critical in requisitioning and ordering of products. With JIT, companies attempt to limit

the costs associated with storing inventory that is necessary to carry out business. It is

obvious that in such systems, it would be dangerous to allow a requisition request to be

held up by any approver for longer than specified periods of time. It is obvious to

provide alternate approval paths to avoid delays such as when an approver may not be

able to approve/deny a requisition within specified time periods. In addition, should there be unexpected jumps or drops in demand for a company's product, it may be equally critical to change hold time parameters accordingly, particularly if the item being ordered is part of a critical path.

King discloses retrieving data from legacy databases (see at least Col. 6, lines 31-62 concerning databases on mainframe systems). Database records inherently include fields. Communication among nodes on a network as described by King inherently take place with programs on sending and receiving ends. These programs and protocols are often referred to as "adaptors." As applicants admit (see at least disclosures, page 43, lines 1-10), well-known adaptors include the Lightweight Directory Access Protocol/LDAP. Adaptors are often identified by names of systems to which they connect. An adaptor connecting a system to an enterprise's Human Resource Management/HRM system, for example, might be referred to as a human resource management system adaptor. As applicants admit, HRM systems and adaptors are well known to one of ordinary skill in the art.

King discloses interactions with various databases, including catalog maintenance and updates (see at least Col. 3, line 60-Col. 5, line 28). While King *does not* specify frequency of interaction with a legacy database, it is obvious that such interactions occur and they may take place on a periodic basis. Inventory needs may vary over time, for example. Orders may include standing orders, also referred to as recurring orders, frequent orders, etc. A supplier's products and their availability may change over periods of time. A supplier might obtain patents on new inventions and

may provide products and services that were not previously available. See also king's

references to various interfaces (Col. 6, lines 47-58).

King discloses transferring a requisition to an enterprise system (see at least Col.

5, line 30-Col. 6, line 30). It is well known in the art that transfers may be performed

when a requisition is approved/denied, since approval/ denial of a requisition often

needs to be known to multiple parties, often including a requestor and an approver.

Changes of status of a requisition and notification of such changes are critical. A

requisition system is useless if it is not able to provide such information to duly

authorized personnel. It is well-known in art of electronic commerce to provide approval

and status indicator(s) so that a computer system may identify the status of a requisition

and communicate the status to interested parties. Such indicators may be stored in a

database and accessed via global variables (in C or C++ or Java, or any other type of

machine instruction.

King discloses the use of purchase order numbers that correspond to requisitions

(see at least Col. 2, lines 11-64, Col. 5, line 30-Col. 6, line 30). The use of purchase

orders and purchase order numbers are well-known. Purchase order numbers are often

internal to an enterprise; the purchase order and purchase order number are

necessarily generated by an enterprise, often in an ERP system. The information may

be retrieved from an ERP system, since otherwise the information is useless.

King discloses the use of approval rules to determine the path that a requisition

may take to according to those rules. King shows that various rules may apply, such as

funding, and consequently, specific responsibilities with regard to the ordering process

and completion of a requisition (see references to routing and approval tables, and also

see also at least Fig. 3 and related text). King discloses roles such as buyer/purchasing

agents (see at least 5, line 65-Col. 6, line 30). An entire set of approval relationships

may be stored on in such approval rules. Subsets of approval rules may be defined,

implicitly and explicitly, according to corporate structure, including divisions, business

units, delegation rules, etc.

King discloses that requisitions may be approved or not approved by an approver

and moved to a next approver according to rules (see at least Col. 5, line 30-Col. 6, line

30). King discloses the use of databases to store approval rules (see at least Col. 6,

lines 16-30). King discloses that different approvers may be involved, according to

areas of responsibility, company rules, etc. Various administrators maintain and update

approval databases (see at least Col. 6, lines 15-29).

King *does not* specifically disclose that approvals may be determined at least in

part by purchase amount. Lemble discloses that approvals may be by purchase

amount (Fig. 14, and related text, at least col. 27, lines 43-67). Therefore it would have

been obvious to one of ordinary skill in the art of electronic commerce at the time the

invention was made to combine King and Lemble to disclose determining approvals by

purchase amount. One of ordinary skill in the art of electronic commerce at the time the

invention was made would have been motivated to combine King and Lemble to

disclose determining approvals by purchase amount for the obvious reason that limits

by amounts are well known and common. One would want to distribute the burden of

approval among various persons in order to avoid bottlenecks in production and to

provide a way of inhibiting preventing fraud by requiring multiple approvals.

King discloses that approval authority may be identified by a company (see at

least Col. 6, lines 16-30). Gardner discloses that an alternate approver may be

delegated to authorize requisitions on the basis of amount or item being requisitioned

(Col. 8, lines 1-64). Neither King nor Gardner specifically disclose who may request

such delegation. However, it is well known in the art that a person may delegate

authority to another person for a wide range of purposes and for specified or non-

specified periods of time. Delegated tasks may include signing timesheets and

approving purchases in his absence. It is common in the art for persons to set up their

emails to generate an "on vacation" message and to direct inquiries to another person in

their absence. Further, Lemble specifically addresses approver controls and restrictions

and access to certain information (see at least Col. 7, lines 1-6, Col. 18, lines 1-6).

Therefore, it would have been obvious for one of ordinary skill in the art to

combine King and Gardner to include receiving a request from a first approver for

delegating the authority of the first approver to a second approver by configuring an

approval path handling means to modify the approval path such that the approval path

includes the second approver in place of the first approver.

One of ordinary skill in the art would have been motivated to modify King and

Gardner (to include receiving a request from a first approver for delegating the authority

of the first approver to a second approver by configuring the approval path handling

means to modify the approval path such that the approval path includes the second

approver in place of the first approver) and include approval paths and delegation of

serial or parallel approval authority for the obvious reason that a company's business

must continue in the absence of one or more approvers in an approval path.

King, Lemble and Gardner do not use the words "predicate," "consequence,"

"serial" or "parallel." The references do not specifically describe moving a requisition to

a next position in an approval path responsive to an approver approving a requisition.

King *does not* specifically disclose notifying an approver when the approver is required

to take action. The references do not specifically disclose how to prevent a first

approver from taking action on a requisition when the requisition request has been

moved from a first approver. However, these features are well-known to those of

ordinary skill in the art, since persons in the requisition/ordering chain of authority would

need the information to make decisions on whether a product is needed immediately or

if a lead time and perhaps additional cost is justified. Other basis of delegating authority

are well-known to one of ordinary skill in the art and may include variables such as

amount of money involved, type of product involved, delivery dates, lead times,

department shipping addresses, where to ship the items ordered, etc.

King discloses interfaces for a user to access the system (see at least Col. 6,

lines 47-58). Gardner discloses the use of the Internet and World Wide Web to access

various portions of a system. They do not use the term *web browser.* A web browser is

software application used to locate and display web pages. The two most popular

browsers are NETSCAPE NAVIGATOR and MICROSOFT INTERNET EXPLORER.

Therefore, it would have been obvious to one of ordinary skill in the art to combine King

and Gardner and disclose the use of web browsers for users to interface with the

various systems. One of ordinary skill in the art would have been motivated to combine

King and Gardner and disclose the use of web browsers for users to interface with the

various systems for the obvious reason that browsers are common, convenient to use

and are the most popular way to access the World Wide Web. In particular, both of the

mentioned browsers are graphical browsers, which means that they can display

graphics as well as text. In addition, most modern browsers can present multimedia

information, including sound and video.[1]

Response to Arguments

Applicant's arguments filed 2 October 2003 have been fully considered but they

are not persuasive.

Applicant purports to traverse the Examiner's Official Notices. For example:

1. Applicants respectfully object to such Official notice and request the Examiner to cite references in support of this position[2] There is no indication that any prior art systems disclosed any electronic form used to acknowledge that goods or services have been received, via an *electronic* receipt, as recited in claims...
2. Therefore, Applicants respectfully traverse the assertion that this [...electronic receipt...] is well known in the art and request a reference in support of such an assertion per MPEP §2144.03 if the rejection is maintained.

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[1] Computer and Internet Dictionary, Random House Webster's.
[2] That It was well known to one of ordinary skill that users often acknowledge that they have received goods or services at various points in a requisition process by notifying appropriate persons....on a computer system it may be more convenient to issue the notification in electronic format, perhaps via email, fax....it would have been obvious to one of ordinary skill at the time the invention was made to include electronic "receipts" or "desktop receipts"...in accounting, such receipts are a common, ordinary item in everyday business." (office action, page 5)

A "traverse" is a denial of an opposing party's allegations of fact.[3] The

Examiner respectfully submits that applicants' arguments and comments do not

traverse what Examiner regards as knowledge that would have been generally

available to one of ordinary skill in the art at the time the invention was made. Even if

one were to interpret applicants' arguments and comments as constituting a traverse,

applicants' arguments and comments do not constitute an <u>adequate traverse</u> because

applicant has not specifically pointed out the supposed errors in the examiner's action,

which would include stating why the noticed fact is not considered to be common

knowledge or well-known in the art. 27 CFR 1.104(d)(2), MPEP 707.07(a). An

<u>adequate</u> traverse must contain adequate information or argument to create on its

face a reasonable doubt regarding the circumstances justifying Examiner's notice of

what is well known to one of ordinary skill in the art. <u>In re Boon</u>, 439 F.2d 724, 728,

169 USPQ 231, 234 (CCPA1971).

As to item 1, above, for example, Applicant has not shown that

- It was *not* well known to one of ordinary skill that users often acknowledge that they have received goods or services at various points in a requisition process by notifying appropriate persons; or that
- ...on a computer system it is *not* more convenient to issue the notification in electronic format, perhaps via email, fax....; or that
- ...it would have *not* been obvious to one of ordinary skill at the time the invention was made to include electronic "receipts" or "desktop receipts"...; or that
- ...in accounting, such receipts are *not* a common, ordinary item in everyday business."

If applicant does not seasonably traverse the well known statement during

examination, then the object of the well known statement is taken to be admitted prior

art. In re Chevenard, 139 F.2d 71, 60 USPQ 239 (CCPA 1943). [MPEP 2144.03

Reliance on Common Knowledge in the Art or "Well Known" Prior Art].

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[3] Definition of Traverse, Black's Law Dictionary, "In common law pleading, a traverse signifies a denial."

In view of applicant's failure to traverse, at least the following is admitted prior art:

- ... users often acknowledge that they have received goods or services at various points in a requisition process by notifying appropriate persons;
- ...on a computer system it is more convenient to issue notifications in electronic format, perhaps via email, fax....;
- ...it would have been obvious to one of ordinary skill at the time the invention was made to include electronic "receipts" or "desktop receipts"...; or that
- ...in accounting, such receipts are a common, ordinary item in everyday business."
- In financial accounting, such notices are valuable, for example, in auditing a company's books by accountants. In managerial accounting, such notices and acknowledgments are important to let managers evaluate their requisition process. By using well-known checks and balances, managers may prevent theft, embezzlement or payments for non-existent goods that would otherwise be noted as assets on their balance sheets. Receipts, including electronic receipts, permit companies to supervise the various actors in a requisition process.
- ... it's usually important to known where to send a purchase order and who to pay, supplier indicator information may include one or more of the following: a supplier name, postal address, fax number, email address, electronic address, etc.

Applicant argues that the Office Action fails to properly communicate basis for

rejection:

> The Office Action states that "although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims[4]." (Office Action dated 7/2/2003, p. 2, paragraph 4).
>
> However, Applicants respectfully submit that the Office Action does not properly communicate the basis for rejection to independent claim 35. For example, the Office Action fails to set forth "the relevant teachings of the prior art relied upon, preferably with reference to the relevant column or page number(s) and line number(s) where appropriate." [MPEP §706.020)] Accordingly, Applicants respectfully request an indication of where the prior art reference (or references when combined) teach or suggest all the claim limitations of independent claim 35. [MPEP §706.020)] If Official notice is taken, Applicants respectfully object to such Official notice and request references in support of this position.

In response to this argument, the Examiner cites particular columns and line

numbers in the references as applied to the claims below for the convenience of the

applicant. Although the specified citations are representative of the teachings in the art

and are applied to the specific limitations within the individual claim, other passages and

figures may apply as well. It is respectfully requested that, in preparing responses, the

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[4] MPEP 707.07(h), form paragraph 7.37.08.

applicant fully consider the references in entirety as potentially teaching all or part of the

claimed invention, as well as the context of the passage as taught by the prior art or

disclosed by the examiner. See also MPEP 707.7(f), for statements concerning not

reading limitations from the specifications in the claims.

Electronic receipts Applicant agues that

> The Office Action further states "King discloses a system that generates purchase
> requisition records (Col 2, lines 20-67) . . . King provides an entire process, from
> preparing catalogs to receipt of orders. On a computer system such as King's, receipts
> are often called electronic receipts." (Office Action dated 7/2/2003, p. 5, paragraph 2)

> Applicants respectfully disagree with this interpretation of King. King discloses specific
> aspects of an electronic requisition process, such as preparing a requisition form of items
> to order and sending a purchase order to a supplier [see King, col. 1, lines 12-20, col. 5,
> line 30 - col. 6, line 29]. King also discloses that the "entire process, from preparing
> catalog to receipt of orders, often took several weeks, and possibly months." (emphasis
> added) (see King, col. 1, lines 19-21). This "receipt of orders", however, discloses the act
> of receiving an ordered item.

> King does not disclose that after the ordered item is received, the system may generate
> "an electronic receipt" to acknowledge receipt of the item, as claimed.

The Examiner respectfully notes that King, a valid US patent, <u>automates **all**</u>

<u>manual transactions</u> in the requisition process.

> The Electronic Requisition ***automates all manual transactions*** currently experienced in
> ***generating and processing hardcopy requisitions***, including the approval process.
> Customization via automatic routing tables allow each Customer site to control requisition
> routing. (King, Col. 2, lines 50-55, emphasis added).

The examiner respectfully submits that ***all*** manual transactions includes

messages and receipts to "...acknowledge receiving an ordered item, wherein the

ordered item was ordered via an electronic requisition form..." as claimed by Applicant.

EDI and ANSI X12

The Examiner respectfully notes that both King and Gardner refer to EDI and

ANSI standards for EDI. For example, King refers to ANSI X12 standards. X12 is an

ANSI standard protocol for EDI[5] (Electronic Data Interchange). EDI is the electronic

communication of business transactions such as orders, confirmations and invoices,

between organizations.[6] The Examiner respectfully submits that one of ordinary skill in

the art at the time the invention was made would have known EDI messages are well

defined by ANSI X12 standards in various versions (e.g. 3060, 3050 etc.) and

individual messages are often referred to by an assigned message code. For example,

an 850 message refers to a purchase order, an 861 message indicates confirmation of

delivery of ordered goods and 832 indicates supplier catalog update information, etc.

See, for example, pages 110-113 of Electronic Data Interchange, Paul Kimberly, 1991.

Accounting Practice

The Examiner respectfully submits that one of ordinary skill would have known

that in accounting, receipts and messages are a common, ordinary item in everyday

business. In electronic systems, this process may be carried out electronically, as in

King. See, for example, pages 266-267 of Accounting, Information Technology and

Business Solution. Please note that this newly cited reference is added merely to

support the prior common knowledge statement.

Applicant's claim language

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[5] Definition of X12, The Computer Desktop Encyclopedia

As to the data contained in the message, the Examiner respectfully notes that

King, Gardner and Lemble do not expressly show the data claimed by applicant:

- ... acknowledge[s] receiving an ordered item, wherein the ordered item was ordered via an electronic requisition form; (claim 46)
- ... to a purchasing agent. (claim 46)
- ... includes an indication that the ordered item is rejected. (Claim 47)
- ...includes commentary from the receiver of the item explaining why the ordered item is rejected. (claim 48)
- ...acknowledges receiving all the items ordered in a previously submitted electronic requisition form. (claim 49)
- ...includes an indication that the ordered item is accepted to trigger a payment for the ordered item. (claim 50)

However these differences are only found in the nonfunctional descriptive

material and are not functionally involved in the steps recited. The steps of generating

and transmitting a receipt would be performed the same regardless of the data. Thus,

this descriptive material will not distinguish the claimed invention from the prior art in

terms of patentability, see In re Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed.

Cir. 1983); In re Lowry, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to generate and transmit in electronic format a

message to acknowledge that goods and services have been received because such

data does not functionally relate to the steps in the method claimed and because the

subjective interpretation of the data does not patentably distinguish the claimed

invention.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

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[6] Definition of EDI, The Computer Desktop Encyclopedia.

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to James H Zurita whose telephone number is 703-605-

4966. The examiner can normally be reached on 8a-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey A. Smith can be reached on 703-308-3588. The fax phone number

for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-306-

1113.

James Zurita
Patent Examiner
Art Unit 3625
19 December 2003

Jeffrey A. Smith
Primary Examiner